

REMARKS/ARGUMENTS

The Applicant respectfully requests further examination and reconsideration in view of the amendments above and the comments set forth fully below. Claims 1-3, 5, 8, 9, and 37-39 were pending. Within the Office Action mailed August 16, 2011 (hereafter “Office Action”), Claims 1-3, 8, 9, and 37-39 are rejected and Claim 5 is objected to. By the above amendments, Claims 1, 5, 8, 9, 38, and 39 are amended, and new claims 40-42 are added. Accordingly, Claims 1-3, 5, 8, 9, and 37-42 are currently pending in the application.

Claim Amendments

Support for the amendment to Claim 1 is found at least in the original Claim 5, Figure 3, and paragraphs 0049-0051.

Support for the amendment to Claim 5 is found at least in Figure 3 and Figure 4.

Support for the amendment to Claim 8 is found at least in the original Claim 5, Figure 3, and paragraphs 0049-0051.

Support for the amendment to Claim 38 is found at least in Figures 3 and 4, and paragraphs 0049-0051 and 0057.

Support for the new Claim 40 is found at least in Figure 3, elements 350-358.

Support for the new Claim 41 is found at least in Figures 3 and 4, paragraphs 0049-0051, 0053, and 0057.

Support for the new Claim 42 is found at least in Figures 3 and 4, paragraphs 0049-0051 and 0057.

Rejections Under 35 U.S.C. §103:

Within the Office Action, Claims 1-3, 8, 9, and 37-39 have been rejected as being unpatentable over US Patent Application Publication No. 2004/0116096 to Shen (hereinafter “Shen”) in view of US Patent Application Publication No. 2003/0193373 to McCarthy et al. (hereinafter “McCarthy”) and further in view of US Patent No. 6,014,554 to Smith (hereinafter “Smith”). Applicant respectfully disagrees.

As admitted to in the Office Action, Shen does not disclose a programmable filter with an arrangement as claimed. Instead, McCarthy is cited as teaching a first filter stage, the first filter stage including a first LC resonator and including a first adjustable capacitor array coupled to the first LC resonator. [Office Action, pages 2-3] It is further admitted to in the Office Action that the modified programmable filter of Shen and McCarthy disclose that the capacitor switching matrix can be programmed to select a capacitor to enable/disable but not explicitly disclose that

the capacitor matrix can be programmed by data storage location. Instead, Smith is cited as disclosing a capacitor matrix that can be programmed by data storage location. [Office Action, page 3] The Applicant respectfully submits that the proposed combination does not teach the limitations as claimed.

Within the Office Action, Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. By the above amendments, the independent Claim 1 is amended to include a portion of the subject matter included in the objected to Claim 5. Specifically, Claim 1 is amended to include the limitation “the first adjustable capacitor includes one or more switched capacitor blocks, each switched capacitor block having at least one capacitor coupled in series with a switch and further coupled in series with at least one other capacitor.” As acknowledged in the Office Action, neither Shen, McCarthy, or Smith teach this limitation. Further, referring to Figures 1A, 1B, and 2 of McCarthy, neither the capacitive circuits, 110, 115, 120, or 202-212 include at least one capacitor coupled in series with a switch and further coupled in series with at least one other capacitor. Neither Shen nor Smith are cited as teaching a programmable filter. As such, the amended independent Claim 1 is allowable over Shen, McCarthy, Smith, and their combination. Claims 2, 3, 5, and 37-42 are dependent upon the allowable Claim 1 and are therefore similarly allowable.

The independent Claim 8 is similarly amended as the independent Claim 1. Specifically, Claim 8 is amended to include the limitation “the first adjustable capacitor includes one or more switched capacitor blocks, each switched capacitor block having at least one capacitor coupled in series with a switch and further coupled in series with at least one other capacitor.” For at least the same reasons stated above in regard to Claim 1, the amended independent Claim 8 is allowable over Shen, McCarthy, Smith, and their combination. Claim 9 is dependent upon the allowable Claim 8, and is therefore similarly allowable.

Additional Allowable Subject Matter

The new dependent Claim 40 includes the limitation “wherein each switching line is coupled to a fuse.” The claimed switching lines are coupled to both a switch (Claim 1) and to the fuse. McCarthy teaches that bank select lines 260 and 262 are switching lines, but these switching lines are coupled to transistors 254 and 256, respectively, not to fuses.

The new dependent Claim 41 includes the limitation “each switch comprises a transistor.” Within the Office Action, the Examiner indicates that a switch as taught by McCarthy is a fuse, not a transistor.

The new dependent Claim 42 includes the limitation “each specific switched capacitor block is enabled or disabled using a control signal input to the switch via the switching line of the

specific switched capacitor block, and a capacitance value of the specific switched capacitor block is set using the same control signal input to the switch.” McCarthy teaches two separate control signals: one control signal applied to the bank selection line (260, 262) to enable or disable the capacitor circuit bank (250, 252), and another control signal applied to programmable line 191 to set the capacitance value. These are two separate control signals, not a single control signal as claimed.

Conclusion

The Applicant respectfully submits that the above claims are in a condition for allowance, and allowance at an early date would be appreciated. If the Examiner has any questions or comments, the Examiner is encouraged to call the undersigned at (408) 530-9700 to discuss them so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,
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Dated: November 16, 2011 _____ By: /David A. Hill/ _____

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